



## LAKE COUNTY ENVIRONMENTAL HEALTH

106 FOURTH AVENUE EAST  
POLSON, MT 59860-2175

PH: 406-883-7236 FAX: 406-883-7205  
Email: envhealth@lakemt.gov

January 20, 2011

Representative Elsie Arntzen  
Business and Labor Committee  
Montana House of Representatives  
P.O. Box 200400  
Helena, Montana 59620-0400

RE: House Bill 258 Comments

Dear Representative Arntzen, Chair and Members of the Committee:

After reviewing House Bill 258, this department has comments regarding the proposed language changes and proposes a definition change to "Day Visitor".

Comments regarding proposed bill:

1. The current draft defines "**Day visitor**" as *a guest who participates in guest ranch recreational activities and may be served food but does not stay overnight*. Currently, guest ranches are exempt from food establishment licensing by definition in 50-50-102 M.C.A. By allowing a guest who participates in *any recreational activity* at a guest ranch to be served food, the opportunity to serve food at large events will exist. For example, weddings, family reunions, or any other large public gathering held at a guest ranch could be considered a "recreational activity" without guests staying overnight. The proposed language change would allow the guest ranch to prepare and serve food to large groups without any oversight. This opens the potential opportunity for large foodborne illness outbreaks of public health significance to occur.
2. In addition, this creates an unfair scenario, in that guest ranches could prepare and serve food to large public groups while licensed retail food establishments and caterers are held to Montana Food Establishment law and Administrative Rule.

Suggested Amendments:

1. Keep the definition consistent with the functions of guest ranch activities as currently stated in M.C.A. 50-51-102. Revise the definition of a "Day Visitor" to *a guest who participates in horseback riding, hunting, fishing or working cattle and may be served food but does not stay overnight*.

In summary, providing a consistent definition between "Day visitor" and the functions of a guest ranch as currently defined in 50-51-102 M.C.A. holds to the true intention of guest ranches being exempt from the Montana Food Service Establishment regulations. Should this be changed to include larger groups of the public who are served food, potential foodborne illness risk will increase. Guest ranches should be held to the same standard as any other licensed retail food service provider if they are allowed to serve food at large public events.

Sincerely,

Christine Hughes  
Registered Sanitarian